IN THE CIRCUIT COURT OF THE FIRST JUDICIAL CIRCUIT IN AND FOR WALTON COUNTY, FLORIDA

The ANGUS B. WILES TRUST Dated, October 31, 2009,	
Plaintiff,	
v.	CASE NO. 2019 CA
BLUE GULF CORPORATION,	
A dissolved Florida corporation,	
Defendant.	
/	

COMPLAINT

COME NOW Plaintiff, ANGUS B. WILES TRUST Dated, October 31, 2009, MICHAEL DALE HUCKABEE and JANET MCCAIN HUCKABEE, as Co-Trustees (hereinafter referred to as "ANGUS B. WILES TRUST"), and sue Defendant, BLUE GULF CORPORATION, (hereinafter referred to as 'BLUE GULF') and allege:

GENERAL ALLEGATIONS

- 1. Plaintiff, ANGUS B. WILES TRUST Dated, October 31, 2009, is sui juris and is the owner of fee simple title to Lot 1, Block 10, according to the Plat of Blue Mountain Beach Subdivision No. 1, as recorded in Plat Book 2, Page(s) 41, of the public records of Walton County, Florida, which plat is referred to hereinafter in Paragraph 7, and which parcel lies adjacent to the 'beach area' joining the south boundary of said subdivision as shown thereon. The Deed to Plaintiff's land is recorded in the Official Records of Walton County at Book 3078, Page 3093, and a true copy of the Plaintiff's deed to the subject property is attached hereto as Exhibit "A".
- 2. WEST FLORIDA DEVELOPMENT COMPANY, the corporate predecessor of Defendant, BLUE GULF, is a dissolved Florida for Profit Corporation which was organized under the laws of the State of Florida on February 21, 1947 and which was voluntarily dissolved on October 23, 1968. A true and correct copy of the original copies of the 'Certificate of Corporation', a 'Certificate' of a corporate resolution to sell and transfer all of its assets to Defendant, Blue Gulf Corporation and subsequent dissolution of the corporation and 'certificate of dissolution' as filed with and obtained from the State of Florida, Department of State, and an

Official Certificate of the Secretary of State for West Florida Development Company, the originals of which copes were filed in the case of <u>John G. Morris</u>, et, al. v. <u>Blue Gulf Corporation</u>, Case No. 06-CA-000395, in the Circuit Court of the First Judicial Circuit In and For Walton County, Florida, stating the facts alleged herein are attached hereto and incorporated by reference herein as Exhibit "B".

- 3. Defendant, BLUE GULF, which corporation purchased the remining assets of, and was the successor in interest of all assets of West Florida Development Company, and which corporation is a dissolved Florida for Profit corporation was organized under the laws of the State of Florida on January 11, 1965, and administratively dissolved on July 2, 1973. A true and correct copy of the original copy of BLUE GULF CORPORATION's 'Articles of Incorporation' as filed with the State of Florida, Department of State, which were obtained from said Department and an official certificate of the Secretary of State stating the facts alleged above the originals of which were filed in the case of John G. Morris, et. al. v. Blue Gulf Corporation, Case No. 06-CA-000395, In the Circuit Court of the First Judicial Circuit In and For Walton County, Florida are attached herein and incorporated by reference herein as Exhibit "C".
- 4. BLUE GULF is the corporate successor in interest to the assets of WEST FLORIDA DEVELOPMENT.
- 5. There is no known or documented evidence of a successor to Defend, BLUE GULF.
- 6. On or about October 6, 1948, WEST FLORIDA DEVELOPMENT COMPANY, as the owner of the real property in Walton County, submitted to Walton County certain of its property to be subdivided and platted as 'Blue Mountain Subdivision No 1', said platting being recorded in Plat Book 2 at Page 41 in the Public Records of Walton County, Florida, a true and correct copy of which is attached hereto and incorporated by reference herein as Exhibit "D".
- 7. At the time of filing the Plat of Blue Mountain subdivision No. 1, WEST FLORIDA DEVELOPMENT COMPANY was also the owner of all the real property lying 'south of the bluff line' (the south boundary of the said subdivision, as described in the Official Plat) to the 'mean high water line of the waters of the Gulf of Mexico'.
- 8. On or about November 7, 1955, WEST FLORIDA DEVELOPOMENT COMPANY, executed and caused to be recorded in the Public Records of Walton County, Florida, in Deed Book 141, at Page 182, a covenant with "its Grantees all the deeds covering"

lots in Blue Mountain Beach Subdivision No.1", which subdivision the subject properties of all Plaintiff's are located, which covenant provided in the event that WEST FLORIDA DEVELOPMENT COMPANY, or any successor, transferee corporation had its corporate existence terminated, that title to "all of the beach area lying between Block 10, 11, 12, and 13 and the Gulf of Mexico will be conveyed to the individual owners of the lots in the above numbered blocks, their heirs, successors or assigns, without payment of further consideration". A true and correct copy of said document as recorded in the Public Records of Walton County is attached hereto and incorporated by reference herein as Exhibit "E".

- 9. The covenant referred to above, in Paragraph 9 is a permanent covenant which runs with the land and title to all the lots situated in Blocks 10, 11, 12 and 13 of the said subdivision.
- 10. The lot owned by the Plaintiff herein is situated in the Block 10, as referred to in the above referenced Exhibit "E", and the Plaintiff is entitled to conveyance of fee simple title to the real property lying south of is lot as shown on the plat of said Blue Mountain Beach Official Records Book 2758, at Page 383, at Official Records Book 2758, at Subdivision No. 1, southward to the 'mean high water line of the waters of the Gulf of Mexico' as was covenanted by West Florida Development Company in said instrument a copy of which is attached as Exhibit 'E".
- 11. In civil actions previously filed in this court against Defendant, Blue Gulf, being styled as John G. Morris, et.al. v. Blue Gulf Corporation, Case No. 06-CA-000395, In the circuit court of the First Judicial Circuit In and For Walton County, Florida, Sherry Rayborn v. Blue Gulf Corporation, Case No. 06-CA- 000615, and the action being styled as Jackson v. Blue Gulf Corporation, Case No. 07-CA-000606, all of the Plaintiffs in those cases were similarly situated Plaintiffs, as owners of 'gulf front' lots situated in Blocks 10, 11, 12 and 13 in the 'Blue Mountain Beach Subdivision No. 1' whose actions against the said BLUE GULF were identical to Counts I and II as alleged hereinafter. There has been a number of additional civil actions filed in Walton County and premised upon the same set of facts and circumstances as the cases referenced above but which are not mentioned herein.
- 12. In the first case filed, the said *Morris* case, the Plaintiffs attempted to properly serve the members of the last known Board of Directors of BLUE GULF, but were unable to do so as it was shown and proven by competent evidence that 'all' members of the last known board

were deceased which this Court found as a fact as stated in the 'Second Amended Final Summary Judgment'(s) entered by the Court which Order was recorded in Official Records Book 2758, at age 383, at Official Records Book 2758, at Page 379 in the *Rayborn*, and in the Final Summary Judgment recorded in Official Records Book 2778, at Page 4238 in the *Jackson*. A true and correct copy of the 'Investigative Report' concerning the investigation and confirmation of the deaths of all the last members of the BLUE GULF board of directors which was filed in *the Morris* case is attached hereto and incorporated by reference herein as Exhibit "F". A True copy of the said judgment entered by this honorable court in the Morris case, stating such is attached hereto and incorporated by reference herein as Exhibit "G". A True copy of the said judgment entered by this honorable court in the Jackson case, stating such is attached hereto and incorporated by reference herein as Exhibit "H".

13. In each of those actions mentioned in Paragraph 12, above, upon motion of the Plaintiffs this Court appointed J. LORRIANE BYTELL, as Attorney at Litem to represent the interest of BLUE GULF, who did so by filing a proper answer on their behalf.

COUNT 1

- 14. Paragraphs 1 through 13 are hereby realleged and incorporated by reference herein.
- 15. This is an action for enforcement of the covenant referred to above in Paragraph 9 as it relates to the Plaintiff as the owner of a parcels of real property affected by and said covenant and for issuance of an Order of the Court authorizing and directing the conveyance of that certain real property identified as 'beach area' lying adjacent to and south of the said Lot 1, Block 10 owned by the Plaintiff, being situated in the 'Blue Mountain Beach Subdivision No. 1' which property requested to be conveyed being specifically described as follows:
 - (A). All that property lying south of Lot 1, Block 10, according to the Plat of Blue Mountain Beach Subdivision No. 1, being adjacent to and between an extension of the side lot lines of said Lot 1, Block 10, southward to the mean high water line of the waters of the Gulf of Mexico, lying in Section 12, Township 3 South, Range 20 West, Walton County, Florida.
- 16. There is no 'successor or corporate transferee' of BLUE GULF in existence which holds title to the 'beach area' south of Blocks 10, 11, 12 and 13 of the subject Blue

Mountain Beach Subdivision No. 1 as referred to in the 'covenant' which is attached hereto as Exhibit 'E'.

WHEREFORE the Plaintiffs pray that this Court will take jurisdiction of the parties and the real property which is the subject matter of this action and enter an Order authorizing and directing the court appointed Attorney at Litem to convey to the Plaintiffs the subject property described above which lies south of its Lot, described in paragraph 1, herein above, from the south boundary of said lot to the 'mean high water line' of the waters of the Gulf of Mexico, and for such other relief that the Court determines is equitable and just in this matter.

Count 2

- 17. Paragraphs 1 through 13 are hereby realleged and incorporated by reference herein.
- 18. This is an action for a Declaratory relief pursuant to Florida Statutes Chapter 86 to confirm the entitlement of the Plaintiffs herein of the conveyance to them of 'the respective beach areas' lying south of the said Lot 1, Block 10 as the subject property is legally described in Paragraphs 19 below.
- 19. Plaintiff, is the fee simple owner of Lot 1, Block 10 in Blue Mountain Beach Subdivision No. 1, as described above in Exhibit A in Paragraph 1, and is entitled to conveyance of the real property lying south of and adjacent of too said Lot 1, southward to the 'mean high waterline of the Gulf of Mexico' which property is described on the Plat of the said subdivision as 'the beach area' and which parcel is described as follows, to-wit:

All that property lying south of Lot 1, Block 10, according to the Plat of Blue Mountain Beach Subdivision No. 1, being adjacent to and between an extension of the side lot lines of said Lot 1, in Block 10, southward to the mean high water line of the waters of the Gulf of Mexico, lying in Section 12, Township 3 South, Range 20 West, Walton County Florida.

WHEREFORE, Plaintiffs pray that this Court will enter a Declaratory Judgment adjudicating their rights of ownership and their entitlement to have the subject property described in Paragraphs 20 and 21 above to be conveyed to them and direct the conveyance of title by Court Ordered Trustee's Dee to their respective 'beach areas' as described in Paragraphs 20 and 21 above, and any other relief deemed proper and just by the Court.

/s/ A Wayne Williamson, Esquire

Attorney for Plaintiff

Florida Bar Number: 0115002

P.O. Box 1248, Santa Rosa Beach, FL 32459 Ph: (850) 685-3091 / Fax: (850) 546-6130 E-Mail: wayne@waynewilliamsonlaw.com

Record Deed: Deed Documentary Stamps: Total Paid; \$18.50 \$21,000,00 \$21,018.50

This instrument prepared by: SCOPT M. CAMPBELL Clark Partington 4100 Legendary Drive, Suite 200 Destin, FL 32541 (850) 650-3304 CPH FILE # 18-5256

Parcel ID Number: 12-3S-20-34040-010-0010

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, THAT E.D. PINCKARD AND MARY L. PINCKARD, INDIVIDUALLY, AND AS CO-TRUSTEES OF THE E.D. PINCKARD AND MARY L. PINCKARD REVOCABLE TRUST DATED DECEMBER 22, 2014, whose address is 320 Circle Drive, Defuniak Springs, FL 32435 (the "Grantor"), for and in consideration of Ten Dollars and other good and valuable consideration, the receipt whereof is hereby acknowledged, does bargain, sell, convey and grant unto MICHAEL DALE HUCKABEE AND JANET MCCAIN HUCKABEE, AS COTRUSTEES OF THE ANGUS B. WILES TRUST DATED OCTOBER 31, 2009, whose address is 756 Blue Mountain Road, Santa Rosa Beach, FL 32459 ("Grantee"), Grantee's heirs and assigns, forever, the real property in WALTON County, Florida, described as follows:

Lot 1, Block 10, Plat of Blue Mountain Beach Subdivision No. 1, according to the map or plat thereof, as recorded in Plat Book 2, Page(s) 41, of the Public Records of Walton County, Florida.

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

Subject to zoning, restrictions, prohibitions and other requirements imposed by governmental authorities; restrictions, instruments and matters of record or appearing on the plat or otherwise common to the subdivision; valid easements and mineral reservations of record affecting the Property, if any; and taxes for the current year and subsequent years; all of which are not hereby reimposed.

Grantor hereby covenants with the Grantee that Grantor is lawfully seized of the real property in fee simple; that Grantor has good right and lawful authority to sell and convey the real property; that the real property is free of all encumbrances except as provided above; that Grantor hereby fully warrants the title to the real property and will defend the same against all persons lawfully claiming the same by, through or under Grantor.

"Grantor" and "Grantee's" are used for singular or plural, as context requires.

IN WITNESS WHEREOF, Grantor has hereunto executed this instrument on the 3rd day of July, 2018.

By:

Signed, sealed and delivered

in our presence:

Print Name:

R. Matthews Print Name: Knisti Matthews

Print Name: Les Pirck and

Print Name: Krshi Motthews

13 31 1 22 3 3 3 3

Mary L. Finckard, as Co-Trustee of the E.D. Pinckard and Mary L. Pinckard Revocable

E.D. Pinckard, as Co-Trustee of the E.D. Pinckard and Mary L. Pinckard

Revocable Trust dated December 22, 2014

Trust dated December 22, 2014

Mary L. Pinckard, Individually

Ex. A

STATE OF	FLO	RIDA	
STATE OF)F	MA	tan

The foregoing instrument was acknowledged before me this 2rd day of July, 2018 by E.D. Pinckard and Mary L. Pinckard, Individually, as Co-Trustees of the E.D. Pinckard and Mary L. Pinckard Revocable Trust dated December 22, 2014. They () are personally known to me or () have produced FLDOVES WELLS as identification.



(Print/Type Name)
NOTARY PUBLIC
Commission Number:
My Commission Expires:



Bepartment of State

I certify the attached is a true and correct copy of the Articles of Incorporation of WEST FLORIDA DEVELOPMENT COMPANY, a corporation organized under the laws of the State of Florida, filed on February 21, 1947, as shown by the records of this office.

The document number of this corporation is 150164.

I further certify that said corporation was voluntarily dissolved or October 23, 1968.

Given under my hand and the Great Seal of the State of Florida at Tallahassee, the Capitol, this the Seventh day of July, 2006



CR2EO22 (01-06)

Sue M. Cosh Sure M. Cobb Secretary of State



CHRYTPICATE OF CLAFORATION

This is to certify that H. D. Inderwood, N. Guy Momento, S. H. Adams, John Dorsey, Adrien Hivard, Clyde Harbeson, Joe Mono, Charles King, C. M. Jennings and A. S. Covell to hereby associate themselves together as a body corporate under the lass of the State of Florida and the following proposed charter:

- 1. The name of the corporation shell be West Plorton Development Company.
- g. The general nature of the business to be conducted by the corporation shall be the buying, selling, lessing, developing or handling in any other means or manner real estate and the transaction of any and all other lawful business whether herein specified or note.
- 3. The maximum number of charge which the corporation small have outstanding at any time shall be 100 all of summon stock with equal voting powers and of no pay value.
- 4. The corporation shall begin business with a capital of \$8,000.00 which shall be paid into the treasury of the corporation in cash or property amounting to not less than \$2,000.00
- 5. The corporation shall have perpetual existence or shall continue in existence until dissolved in due course and operation of law.
- 6. The principal place of business small be in as Amilak Springs, Malton County, Florida, with such branch offices and places of business, either within or without the State of Florida, as may be determined by the Board of Directors.
- 7. The Board of Directors small consist of not less than three nor more than seven members, each of whom shall be a stockholmer in the corporation.
- B. The names and post office addresses of the first board of Directors of the corporation, who shall serve for the first year of the existence of the corporation or until their successors are elected and qualified, shall be:

Joe Long Ciyde Harbeson W. Guy McKensie John Lorsey Adrien Hivard

De Puniak Springs, Florida De Puniak oprings, Florida De Funiak Springs, Florida De Funiak Springs, Florida De Puniak Springs, Florida

9. The names and post office addresses and number of shares subscribed by each of the incorporators are as folices:

In. The effairs of the corporation shall be tandled by the first Board of Directors as named in paragraph #6 nervot until the first meeting of the stockholders of the corporation.

Il. The dy-Laws of the corporation shall be adupted by the Board of Directors at their first regular meeting or a subsequent meeting called for that purpose.

12. In the event any stock certificates issued by the purporation shall be lost or destroyed, stock certificates to replace such lost or destroyed cortificates shall be Issued only in strict compliance with the stock transfer act of the Laws or Florida.

13. No shares of atock at any time outstanding on the books of the corporation and camer by the corporation shall be some by the corporation without the consent of 8/823 of the atocabalders of said corporation.

14. No stock in this corporation owned and hold by any individual shall be sold or transferred by such individual until such individual owner has first offered said stock for sale to the corporation at a price not inconsistent with the assume, value of said stock and the corporation has refused to purchase such stock.

18. The substance of the provisions restricting transfer of stock as set forth in paragraphs \$13 and \$14 of this certificate shall appear on the face of each stock certificate issued by the corporation.

Is difficult that the superitors here have hereunts set treir hands and seals, this 19 has of rebrunes, 1947.

W. Jaylor Tengie (c. ad.)

Syde Hackison

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STATE OF PLORIDA MALTON COMMITT

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my own laston expenses (Louis 1947

CERTIFICATE

(20)(6)

WEST PLORIDA DEVELOPMENT COMPANY, a Florida corporation having its principal place of business in DeFuniak Springs, Walton County, Plorida, does hereby certify that the following is a true and correct copy of the resolution of the Board of Directors and stockholders of said corporation, which said resolution was passed by unanimous affirmative vote of all of the Directors and owner of all of the Capital Stock at a meeting held on September 18, 1968, and said resolution reads as follows, to-wit:

BE IT RESOLVED by the Board of Directors and the owner of all of the capital stock of Mest Florida Development Company, a Florida corporation having its principal place of business in DeFuniak Springs, Florida, that the corporation proceed forthwith to dispose of all of its assets by conveying all of the assets of said corporation to Slue Gulf Corporation, a Florida corporation having its principal place of business in Julney, Florids, the owner and holder of all of the capital stock of the corporation and that Charles S. Islar, Jr., as Attorney for the corporation, be authorized and directed to forthwich effect the dissolution of the corporation in aggordance with the requirements of law.

And it is further certified that the namer and addresses of the officers and Directors of the corporation are as follows, to-vita

R. B. Davis, President and Director 416-A Broad Street, Machville, Tennesse,

Peter B. Curlin, Vice President and Director Pirst American National Bank, Nashville, Tennessee,

Hal A. Davis, Secretary-Treasurer and Director Citizens Bank Suilding, Quincy, Florida,

and the said parties were then and there acting for Bire Guit Corporation, a Plosida corporation having its principal place of business in the Citizens Bank Building, Quincy, Florida, the owner of all of the capital stock of the corporation being herein dissolved. And said parties were duly authorized to act for and in behalf of said owner of all of the capital stock.

IN WITHLES WHEREOF, WEST PLORIDA DEVELOPMENT COMPANY has caused these presents to be signed in its corporate name by its President

and its corporate seal to be affixed, attested by its Secretary, this 18th day of September, A. D. 1968.

WEST PLORIDA DEVELOPMENT COMPANY

by 1) Dotte

ATTEST:

By Tto Secretary

(corporate seal)



STATE OF PLORIDA

COUNTY OF BAY

Before the undersigned authority this day personally appeared R. B. Davis and Hal A. Davis, to se known and known to be the individuals described in and who executed the foregoing Certificate as President and Secretary, respectively, of West Florida Development Company, a corporation, and severally acknowledged to and before me that their execution thereof was their free act and deed as such officers of said corporation and that the seal affixed is the true corporate seal of said corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of my office, this 18th day of September, A. D. 1968.

During Motory Maritime

May Abel as the parties of the party

AFFIDAVI"

STATE OF FLORIDA COUNTY OF BAY

R. B. Davis and Hal A. Davis, after being duly sworn, decase and say that they are President and Secretary, respectively, or West Florida Development Company, a Florida corporation having its principal place of business in DePuniak Springs, Florida, and that they have knowledge of the matters and things recitor; that said corporation is not indebted for property taxes, either tangible or intangible, and has no liability for sales or use taxes, or any other indebtedness of any kind whatsoever. This affidavit is given to comply with \$608.27(1), Florida Statutes, and in order to inagge the Secretary of State of Florida to proceed with the dissolution of said corporation in accordance with Corticipate filed in his office.

Hal A. Davis

Sworn to and subscribed before mu this $\frac{18}{18}$ day of September, A. D. 1968.

Dune Motor Public

to the state of th

CERTIFICATE OF CORPORATE DISSOLUTION

IN THE NAME AND BY THE AUTHORITY OF THIS STATE OF PLORIDA

	. B. COVELL, DR PREIAK SPRINGS, FLORI
R. B. UMDERWOOD,	DI PONTAK SPRIMOS, PLORIDA
CLYDE HARREON,	DI PUNTAK APATUNA, MICHITAL
JOH LONG,	
B. H. ADAMS	DI PUNIAR SPRINGS, PLORIDA
CHARLES KING, JOHN DORSKY,	IN PURITAR R PRINCE . WYON YOU
O. M. JENNINGS,	DI PUNIA SPRIMA PLOYON
ADRIEN RIVARD.	DI PUNTAK SPRINGS, PLORIDA DI PUNTAK APRINGS, PLORIDA
did on the 21st day	of PROMINERY A.D. 18 AT
cause to be incorporated under the laws of	of the State of Florida
WEST FLORIDA DEVELOP	ENS COMPAN.
s corporation, with its principal place of be	usiness at DE PUNIAR SPRINGS, MALITON COUNTY
n the State of Florids, and whereas such	corporation did on the 19th
, A. D.	1968 cause to be filed in the office of the Secretary
f State of the State of Florida, the docu-	mentary authority required under Section 808.27, Florida
taction, showing the dissolution of such c	corporation, and the Secretary of State is satisfied that the
taction, showing the dissolution of such e equirements of law have been compiled with	corporation, and the Secretary of State is satisfied that the h, the said corporation, to-wit:
quirements of law have been compiled with	h, the said corporation, to-wit
WEST PLOTED DEVELOPMENT PROPERTY OF THE PROPER	of business at DE FUNIAR SPRINGS, MALITON
WEST PLOTTED DEVELOPMENT OF THE PROPERTY OF TH	of business at DE PUNIAR SPRINGS, MALIFON
retofore existing with its principal place	h, the said corporation, to-wit
retofore existing with its principal place	of business at DR: FUNIAR SPRINGS, WALTON
retofore existing with its principal place the State of Florids, has been and is dis	of business at DR: FUNIAR SPRINGS, WALTON
retofore existing with its principal place the State of Florids, has been and is dis	of business at DR: FUNIAR SPRINGS, WALTON
retofore existing with its principal place the State of Florids, has been and is dis	of business at DR: FUNIAR SPRINGS, WALTON
retofore existing with its principal place the State of Florida, has been and is dis	of business at DR: FUNIAR SPRINGS, WALLTON
retofore existing with its principal place	th, the early corporation, to-wit: DET COMPANY of business at DE FUNITAR SPRINGS, WALTON GOVERN Esolved and no longer exists under the laws of the State
retofore existing with its principal place the State of Florida, has been and is dis	in, the eard corporation, to-wit: DET COMPANY of business at DES FUNIAR SPRINGS, WALTON COUNTY solved and no longer exists under the laws of the State IN WITNESS V/HEREOF, I have hereunto set my hand and have affixed the Great Scal of the State
retofore existing with its principal place the State of Florids, has been and is dis	IN WITNESS V/HEREOF, I have hereunto set my hend and have alfixed the Great Scal of the State of Florida, at Tallaheasee, the Capital, this the
retofore existing with its principal place	in, the eard corporation, to-wit: OF GOSPAN OF DESTRUCTION OF DE
WEST PLOTTED DEVELOPMENT OF THE PROPERTY OF TH	in the eard corporation, to-wit: Of Dustness at Dif FUNIAR SPRINGS, WALTON GOODS! Solved and no longer exists under the laws of the State IN WITNESS WHEREOF, I have hereunto set my hend and have affixed the Great Scal of the State of Florida, at Tallahassee, the Capital, this the TARNETS-THIRD day of

FINAL CERTIFICATE



I certify the attached is a true and correct copy of the Articles of Incorporation of BLUE GULF CORPORATION, a corporation organized under the laws of the State of Florida, filed on January 11, 1965, as shown by the records of this office.

The document number of this corporation is 288570.

I further certify that said corporation was administratively dissolved on July 2, 1973.

Given under my hand and the Great Seal of the State of Florida at Tallahassee, the Capitol, this the Seventh day of July, 2006



CR2EO22 (01-06)

Sue M. Cabb Sue M. Cabb Secretary of State

EXHIBIT

ARTICLES OF INCORPORATION

·) [.

BLUE JULE CORPORATION

The undersigned subscribers to these articles of incomparation, a each a natural person competent to contract, hereby associate from solves together to form a corporation under the laws of the state of Florida.

ABTICLE I. NAME

The name of this corporation is: Blue Gulf Corporation.

APPLICATE II. MATURE OF BUSINESS

The general nature of the business to be transacted by this corporation is: To manufacture, purchase, or otherwise acquire, and to own, mortgage, pledge, sell, assign, transfer, or otherwise dispose of, and to invest in, trade in, deal in and with goods, wares, merchandise, real and personal property, and services, of every class, kind, and description: except that it is not to conduct a banking, safe deposit, trust, insurance, surety, express, railroad, canal, telegraph, telephone or cemetery, a building and loan association, mutual fire insurance association, cooperative association, fraternal tenefit society, state fair or exposition.

APPRICLE III. CAPPTAL STOCK

The maximum number of shares of stock that this corporation is authorized to have outstanding at any one time is five thousand shares of common stock having a nominal or par value of One Hundred Dollars per share.

ARTICLE IV. INITIAL CAPITAL

The amount of capital with which this corporation will begin business is Forty Nine Thousand pollars.

ARTICHE V. TERT OF EXISTENCE

This corporation is to exist perpetually.

ARTICLE VI. ADDRESS

The initial post office address of the principal office of this corporation in the State of Florida is #7 West Washington Street, Quincy, Florida. The Board of Directors may from time to time move the principal office to any other address in Florida.

ARTICUS VII. DIRECTORS

This corporation, shall have four directors, initially. The number of directors may be increased or diminished from time to time, by hy-laws adopted by the stockholders, but shall never be less than three.

ARTICLE VIII. INITIAL DIRECTORS

The names and postoffice addresses of members of the first Board of Directors are:

BMAN

ADDRESS

Robert L. Davis

2017 McGavock Pike, Nashville, Tenn.

Peter B. Curlin

980 Overton Lea nd. Nashville, Tenn.

P. C. Elliott.

415 Bushnell

Nashville, Tenn.

J. B. Seile

900 Oak Valley Hd., Nashville, Tenn.

ARTICLE IM. SUBSCRIBERS

The name and postoffice address of each subscriber of these inticles

of incorporation, the number of shares of stock each agrees to take and the value of the consideration therefor are:

NAME	ADDRESS	SHARES	CONSIDERATION
Robert B. Davis	2017 McGavock Pike Nashville, Tenn.	210	\$19,000.00 and services valued at \$2,000.00
Poter B. Curlin	980 Overton Lea Rd. Rashville, Tenn.	100	\$10,000.00
P. C. Elliott	115 Bushnell Washville, Tenn.	100	\$10,000.00
J. B. Sealo	900 Oak Valley Hd. Washville, Tenn.	100	\$10,000.00
Hal A. Davis	N. Shelfer St. Quincy, Florida	20	Services valued at \$2,000.00

APTICID N. AMENDMENT

C

These articles of incorporation may be amended in the manner provided by law. Every unendment shall be approved by the floard of Directors, proposed by them to the stockholders, and approved at a stockholders meeting by a majority of the stock entirtled to see the Chercon, unless all the directors and all the stockholders sign a written statement manisfesting their intentions that a certain amendment of these articles of incorporation be made.

Poter B. Curlin

e, c. Elliote

JI By South

Hal A. Davis

STATE OF TENNESSEE COUNTY OF DAVIDSON

I hereby certify that on this day, before me, a Notary Public duly authorized in the state and county named above to take acknowledgments, personally appeared Robert B. Davis, Peter B. Curlin, P. C. Elliott and J. B. Scale, to me known to be the persons described as subscribers in and who executed the foregoing articles of incorporation, and acknowledged before me that they subscribed to those articles of incorporation.

Witness my hand and official seal in the county and state named above this 6 day of January, A. D. 1965.

NOTARY PUBLIC My commission expla

STATE OF PLORIDA COUNTY OF GADSDEN

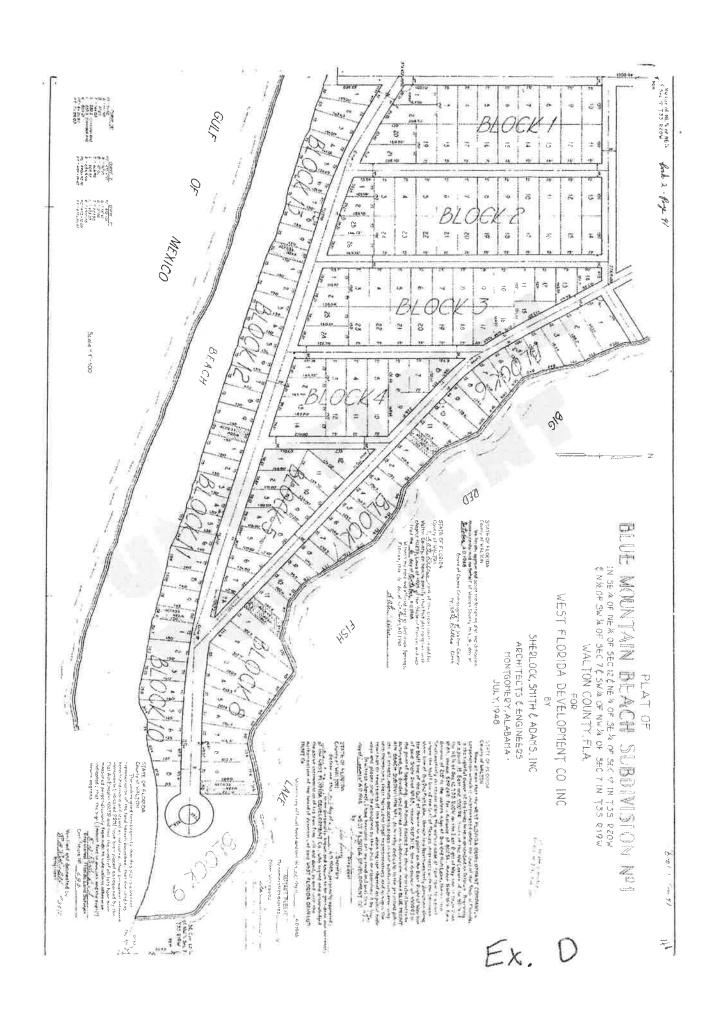
C

I hereby certify that on this day, before me, a Notary Public duly authorized in the state and county named above to take acknowledgments, personally appeared Hal A. Davis, to me known to be the person described as subscriber in and who executed the foregoing articles of incorporation, and acknowledged before me that he subscribed to those articles of incorporation.

Witness my hand and official seal in the county and state named above this $\frac{\sqrt{M}}{2}$ day of January, A. D. 1965.

MY commission expires:

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STATE OF PLORIDA
COUNTY OF WALTON

THIS INDENTURE made this the <u>7th</u> day of <u>November</u> A.E. 1955, between West Florida Development Company, a corporation organized and existing under the laws of the State of Florida, having its principal place of business in the County of Walton, State of Florida, Party of the first part and its Grantees in all the deeds covering lots in Blue Mountain Beach Subdivision No. 1, Parties of the second part,

WITNESSETH, that the said party of the first part, for and in consideration of the premises and the sum of \$1.00 and other good and valuable considerations does hereby covenant with the parties of the second part that the beach as shown on the plat of Blue Mountain Beach Subdivision No. 1 is for the use and enjoyment of the property owners of Blue Mountain Beach and the party of the first part agrees that no act or conveyance by the party of the first part, its successors or assigns, whether voluntarily or involuntarily made will interfere with the normal use and enjoyment of said beach by the said parties of the second part, their heirs, successors and assigns, such restrictions to be a covenant running with the land of said beach area. Without otherwise limiting its application, the term "normal use and enjoyment" shall mean that any commercial use of such beach area to prohibited.

If the party of the first part or any successor or transferse corporation holding title to said beach area should be dissolved or have its corporate existence terminated, all of the beach area lying between Blocks 10, 11, 12 and 13 and the Gulf of Mexico will be conveyed to the individual owners of Lots in the above numbered Blocks, their heirs, successors or sasigns without payment of further consideration, subject to the covenant recited above.

Likewise, should the party of the first part or any successor corporation or transfered of said beach area, whether a corporation or individual, abandon said beach area, then that portion of said beach area lying between the above described Blocks and the Guif of Mexico will be conveyed as above



set forth without payment of further consideration, subject to this same coventant.

Any conveyance or transfer of said beach area, however effected, shall contain appropriate provisions to secure the enforcement of the foregoing rights and restrictions applicable to the beach area and conveyees or transferees, by the acceptance of such conveyances, will agree not to interfere with the normal use and enjoyment of said beach area by any owner of property in Blue Mountain Beach Subdivision No. 1.

IN WITNESS WHEREOF the said party of the first part hus caused these presents to be signed in its name by its president and its corporate pullic be affixed, attested by its secretary, the day and year above written.

> WEST FLORIDA DEVELOPMENT COMPANY a corporation

Signed, sealed and delivered in the presence of:

Theye B Nake

STATE OF FLORIDA

COUNTY OF WALTON

I hereby certify that on this 7th day of November A.D. 1955, before me personally appeared S. H. Adams and R. B. Underwood, respectively President and Secretary of West Florida Bevelopment Company a corporation organized under the laws of the State of Florida, to me known to be the individuals and officers described in said who executed the foregoing conveyance and severally acknowledged the execution thereof to be their free act und deed as such officers, and that the official seal of said corporation is duly affixed hereto and that said conveyance is the act and deed of said corporation.

WITNESS my hand and official and the set and deed of said corporation.

WITNESS my hand and official seal this the day and year above

Notary Public, State of Florida at Large

My Committees and 12,1957

183

E. Eoo Androws, Glerk Gircuit Court Welton County, Plorida

Deputy Glerk

IN THE CIRCUIT COURT OF THE FIRST JUDICIAL CIRCUIT IN AND FOR WALTON COUNTY, FLORIDA

JOHN G. MORRIS, JOHN T. CRUNK and SUSAN LUCAS, formerly known as SUSAN LUCAS UPDYKE, Plaintiffs,

CASE NO. 06-CA-000395

BLUE GULF CORPORATION, a dissolved Florida corporation, Defendant.

٧.

NOTICE OF FILING INVESTIGATIVE REPORT

NOTICE IS HEREBY GIVEN of the filing by Plaintiffs, JOHN G. MORRIS, JOHN T. CRUNK and SUSAN LUCAS, formerly known as SUSAN LUCAS UPDYKE, of their Investigative Report, consisting of 12 pages, prepared by Donna J. Investigations, Private Investigator, of her search to confirm the deaths of the Board of Directors of BLUE GULF CORPORATION, Defendant in the above action. Said report confirms the deaths of all four (4) Directors of said corporation as shown in the files of the Secretary of State of Florida, Division of Corporations.

DATED this day of October, 2006.

WILLIAM'S. HOWELI Florida Bar No.: 394040

1727 S. Co. Hwy. 393 Santa Rosa Beach, FL 32459 Phone: 850-622-0529

Attorney for Plaintiffs

S \MORRIS LUCAS CRUNK\NotFilmgfnvcstRpt.wpd

16 mh

DONNA J. INVESTIGATIONS

P.O. Box 1461 • Destin FL 32540 Ph; 850 830-2999 • Fax: 850 269-1980

Report on: Blue Gulf Corporation Board of Directors

Date: 13 October 2006

Request by: William Howell, Jr., P.A.

INFORMATION REQUESTED: Confirm deaths or current addresses of Blue Gulf Corporation Board of Directors. Specifically, Robert B. Davis; Peter B. Curlin;

P.C. Elliott; and J. B. Seale.

INFORMATION OBTAINED:

1) Copy of death certificate for Robert B. Davis

 Verification of Death Facts, Tennessee Department of Health Office of Vital Records for Peter B. Curlin AND John B. Seale

 Match of address for Phillip C. Elliott through the address listed on the Articles of Incorporation and Comprehensive Report indicating Mr. Elliott is deceased

Status: Closed

Investigator: Donna Johns

	SYATE OF FLORIDA
)	OFFICE OF WITAL STATISTICS
	CERTIFIED COPY
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A CONTRACTOR	* 1 3 7 D O 7 G ±



TENNESSEE DEPARTMENT OF HEALTH OFFICE OF VITAL RECORDS

APPLICATION FOR VERIFICATION OF DEATH FACTS

THIS APPLICATION MUST BE ACCOMPANIED BY A CHECK OR MONEY ORDER MADE PAYABLE TO TENNESSEE VITAL RECORDS FOR \$12.00.

Name and mailing	address wher	re verification is	to be sent:			
- Donno	· Sohn	٥		6	ctober 5, 2	2006
Name of individual of	From	Gency Virus	,	()	150 830-	2999
Street Address	Flo	sida :	32550	7	elephone No.	
City		State			Zip	
In order for the Off information from the	ice of Vital Re e record you a	ecords' staff to a are requesting:	search the files of	death records,	please provide t	he following
Year of Death	Name of D	eceased Person		MINOR MINOR MANAGEMENT OF THE	- 15	
Also complete item a more accurate se A fee of \$12.00 is concept of the second is found.	arch. harged for the If you want	e search of the	year and the name e than one year o	entered above of records, plea	. This fee is cha	rged even i
additional year. The may be obtained at	e Office of Vit	al Records mail	ntains death recor	ds for the past f	ifty (50) years. I	Earlier years
 Full name of De 	ceased:	First	A.		ast	64
2. Date of Death:	Hebru	ary	Middle	ر ک	D	
3. Place of Death:	191011111) Day	Oben.		Tennesse	e
I. Residence at Ti	111000 11100 11100 11100		County		State	
Decedent's pare	∍nts:	City		County	State	
Mother's:	rst	- 4	Middle		Maiden Name	
Father's:						
Fil	rst		Middle		Last	
		MAIL T	HIS APPLICATION	N TO:		
		OFFICE	ee Department of OF VITAL RECO ral Services Buildi	ORDS		

421 5th Avenue North, 1st floor Nashville, TN 37247

PH-3055 (Rev 10/02)

RDA N/A

DO NOT WRITE BELIOW. THE STAFF AT THE OFFICE OF VITAL RECORDS WILL ENTER INFORMATION. This form is not a death certificate. The information is transcribed from the original document.
1. Name of Decedent: Leter Buchanan Curlin
2. Sex: Male
3. Date of Death: February 27, 1982 4. Age at time of Death: lolo
6. Date of Birth: September 27, 1915
7. Place of Birth: hentucky
8. Was Decedent Ever in the Armed Forces: Yes No? From Not on certificate to
9. Place of Death: Union City Tennessee Obion County
10. Facility Name and Address: Obion County General Hospital
11. Marital Status: Married
12. Spouse's Name: Mary Hamblin Hudgins
13. Decedent's Occupation - Kind of Business: Emancial Consultant / Banking
14. Decedent's Residence: 919 East Exchange Union City, TN
15. Race: White 16. Education: Not oncertificate
17. Father's Name: Prother B. Curlin
18. Mother's Name: Elizabeth Scates
19. Informant's Name: Mrs. Mary Curlin
20. Informant's Relationship: DAUSE
21. Mailing Address: 919 East Exchange Union City, TN
22 Method - Place of Disposition: Burney / Foot Vary Control 115 - City TN
22. Method - Place of Disposition: Buriel / Fost View Cemetery Union City, TN 23. Funeral Director: Gus B. White III
C O III: TEF
24. Embalmer: Gus B. White III. 25. Name and Address of Funeral Home: White - Kanson Union City, TN 38261
26. Medical Examiner's Name and Address: Not on Certificate
20. Wiedical Examiner's Name and Address: Not on Certificate.
27. Physician's Name and Address: Grover Schleifer III (MD) P.O. Box 220 Union (ity, TN 3826)
28. Date Certificate Filed: March 9, 1982
Other Information: SHARON M. LEINBACH
VERIFIED BY INDEX
We were unable to locate a certificate Verified By: Aurorate (Al male) Title: Locate a certificate
with information given. Date Verified: October, 5, 2006

PH-3055 (Rev 10/02)

RDA N/A



APPLICATION FOR VERIFICATION OF DEATH FACTS

THIS APPLICATION <u>MUST</u> BE ACCOMPANIED BY A CHECK OR MONEY ORDER MADE PAYABLE TO TENNESSEE VITAL RECORDS FOR \$12.00.

Name and mailing a	address where verific	ation is to be sent			
7 Jonna	lakes.	9		October 5.	2006
Name of Individual o	Requesting Agency	Trive		(850) 830-	2999
Street Address	Florida	32550		Telephone No.	
City		State		Zip	
	ce of Vital Records' e record you are requ		files of death reco	ords, please provide	the following
Year of Death	Name of Deceased	Person			
Also complete items a more accurate se	s 1-5 below if you ha	ve that information	n. This allows the	Office of Vital Reco	rds to perform
additional year. The	If you want to sea e Office of Vital Reco the State Library & A ceased:	rds maintains dea			
2. Date of Death:	October & Firs	10	Middle 1992	Last	, Ele
3. Place of Death	Month	Day Yam	ultex	Tennes	ruel
4. Residence at Ti	150,000,000,000,000,000		46, Wh. Y	12	
Decedent's pare	City ents:	. 4	County	State	
Mother's:	West of the second	2014	7847	· :	
Fir	st	Middle	EM	Maiden Name	
Father's:				- 00	
Fir	st	Middle		Last	
		MAIL THIS APPL	ICATION TO:		

Tennessee Department of Health OFFICE OF VITAL RECORDS Central Services Building 421 5th Avenue North, 1st floor Nashville, TN 37247

RDA N/A

PH-3055 (Rev 10/02)

_	
	DO NOT WRITE BELOW. THE STAFF AT THE OFFICE OF VITAL RECORDS WILL ENTER INFORMATION. This form is not a death certificate.
	The information is transcribed from the original document.
1.	Name of Decedent: John Berryman Seale Sr.
	Sex: Male
3.	Date of Death: October 10, 1992 4. Age at time of Death: 75
1	
6.	Date of Birth: August 18, 1917
7.	Place of Birth: Sumter County Alabama
	Was Decedent Ever in the Armed Forces: X Yes No From to
9.	Place of Death: Red Bank Tennessee Hamilton County
10.	Facility Name and Address: Erlanger Medical Center North
	Marital Status:
	Spouse's Name: Appa Marie Finney
13.	Decedent's Occupation - Kind of Business: Vice President / Krystal Company
	Decedent's Residence: 112 Glamis Circle Sugnal Mauricia TN 37377
	Race: 16. Education: College - 2
17,	Father's Name: Clifton Corter Seale
18.	Mother's Name: Bessie - Pope
19.	Informant's Name: Anga Marie Seale
20.	Informant's Relationship: Spouse
21.	Mailing Address: 1112 Glamis Circle Signal Mountain, TN 37377
22.	Method - Place of Disposition: Burial / Mount Olive Compter Naspville, TN
23.	Funeral Director: Larry Dale Norcis
24.	Embalmer: Roppie Wright
25.	Name and Address of Funeral Home: Chattonooga Fun. Hm. 1724 McCallie Ave. Chattonooga, TN
26.	Medical Examiner's Name and Address: Nat on certificate
27.	Physician's Name and Address: James Stanko (MD) 628 Morrison Springs Rd. Chattanaga, TN37415
28.	Date Certificate Filed: October 22, 1992
	Other Information: SHARON M. LEINBACH
	VERIFIED BY INDEX
	We were unable to locate a certificate Verified By: Laboratto Olmael Title:
	with information given. Title: Landermetron Aments t Date Verified: Detailer 5, 2006
	- Sunsary no vo

PH-3055 (Rev. 10/02)

RDA N/A



APPLICATION FOR VERIFICATION OF DEATH FACTS

THIS APPLICATION MUST BE ACCOMPANIED BY A CHECK OR MONEY ORDER MADE PAYABLE TO TENNESSEE VITAL RECORDS FOR \$12.00.

Name and mailing	address whe	re verification is to	be sent:	
Vonna	Sohns	۷		October 6, 2006
Name of Individual		ake Front	1 x l	October 6, 2006 Date (950) 830-2999
Street Address	That:	FL 32		Telephone No.
City	reacise,	State	OVER CLASSICAL DESCRIPTION AND ADDRESS OF A PARTY.	Zip
In order for the Or information from the	ffice of Vital R he record you	ecords' staff to se are requesting:	earch the files of death	n records, please provide the followi
Year of Death	Name of D	eceased Person		
no record is found	charged for the discourage of the charged for the Charge of Viat the State Library of the Charge	t to search more tal Records maint	than one year of rec	red above. This fee is charged ever ords, please enclose \$12.00 for ea the past fifty (50) years. Earlier yea Last
Place of Death	City 6		County	Tennisall
4. Residence at 1	(77.79		, Q. SIB	
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Mother's:	irst		Middle	Maiden Name
Father's:		Allo Tark		
F	First	Tennesse	Middle S APPLICATION TO: Department of Healt OF VITAL RECORDS	h

Tennessee Department of Health OFFICE OF VITAL RECORDS Central Services Building 421 5th Avenue North, 1st floor Nashville, TN 37247

PH-3055 (Rev. 10/02)

RDA N/A

This form is	OFFICE OF VITAL RECORDS WILL ENTER INFORMATION. s not a death certificate. scribed from the original document.
1. Name of Decedent:	
2. Sex:	A STATE OF THE STA
3. Date of Death:	4. Age at time of Death:
5. Social Security Number:	
6. Date of Birth:	
7. Place of Birth:	
8. Was Decedent Ever in the Armed Forces: Ye	es No From to
9. Place of Death:	
10. Facility Name and Address:	
11. Marital Status:	
12. Spouse's Name:	
13. Decedent's Occupation - Kind of Business:	
4. Decedent's Residence:	
15. Race:	16. Education:
17. Father's Name:	
8. Mother's Name:	
9. Informant's Name:	
20. Informant's Relationship:	
21. Mailing Address:	
22. Method – Place of Disposition:	
3. Funeral Director:	
24. Embalmer:	
25. Name and Address of Funeral Home:	NO CERTIFICATE ON FILE
26. Medical Examiner's Name and Address:	WITH INFORMATION GIVEN
27. Physician's Name and Address:	
8. Date Certificate Filed:	2
Other Information:	
We were unable to locate a certificate with information given.	Verified By: Derasta Samuel Title: Information Casulant Date Verified: James 5, 2006

Important: The Public Records and commercially available data sources used on reports have errors. Data is sometimes entered poorly, processed incorrectly and is generally not free from defect. This system should not be relied upon as definitively accurate. Before relying on any data this system supplies, it should be independently verified. For Secretary of State documents, the following data is for information purposes only and is not an official record. Certified copies may be obtained from that individual state's Department of State.

Comprehensive Report

Comprehensive Report Date: 09/22/06

Report Legend:

S - Shared Address

D - Deceased

🗸 - Probable Current Addrass

Subject Information:

Name: PHILLIP C ELLIOTT D Date of Birth: 11/11/1903 Date of Death: 06/1965 (DAVIDSON, TN) Age at Death: 61 (Born 102 years V1960 and 12/31/1981

Names Associated With Subject:

PHILIP ELLIOTT DOB:11/11/1903 DOD:06/1985 (DAVIDSON, TN) Age at Death: 81 (8cm 102 years ago) 410-70-xxxx issued in Tennessee between 01/01/1980 and 12/31/1961

Others Associated With Subjects SSN:

(DOES NOT usually indicate any type of fraud or deception)

O C ELLIOTT Age:

Issued in Tennessee between 01/01/1960 and 12/31/1961

Comprehensive Penert Summany

Names Associated With Subject	1 Faund
Others Associated With Subjects SSN	1 Found
Possible Criminal Records	None Found
Sexual Offenses	None Found
Driver's License	None Found
Motor Vehicles Registered	None Found
Florida Accidents	None Found
Concealed Weapons Permit	None Found
People at Work	None Found
Professional Licenses	None Found
FAA Certifications	None Found
₽ FAA Aircrafts	None Found
Watercraft	None Found
	None Found

Voter Registration	1	
Hunting/Fishing Permit	None Found	
Bankruptcies	None Found	
Tax Liens & Judgments	None Found	
UCC Filings	None Found	
A Possible Properties Owned	None Found	
Posalble Associates	None Found	
Possible Relatives	1st Degree - None Found 2nd Degree - None Found 3rd Degree - None Found	W + 1
Neighbors Neighbors	1st Neighborhood - 2 Found	

Address Summary:

Address	County	Dates	Maps
415 BUSHNELL ST. NASHVILLE TN 37206-1820	DAVIDSON	Mar 1965 - Dec 1992	Map

Previous And Non-Verified Address(es):

PHILLIP C ELLIOTT - 415 BUSHNELL ST. NASHVILLE TN 37206-1820. DAVIDSON COUNTY (Mar 1985 - Dec 1992)

COOK JAY & JENNIFER (615) 227-7123

Property Ownership Information for this Address

Property:

Parcel Number - 063-10 122

Let Mumber - 45

roperty:
Parcel Number - 083-10 122
Lot Number - 45
Owner Name 1 - COOK JAMES
Owner Name 2 - COOK JENNIFER
Address - 415 BUSHNELL ST NASHVILLE TN 37206-1820. DAVIDSON COUNTY
Owner's Address - 415 BUSHNELL ST NASHVILLE TN 37206-1820. DAVIDSON COUNTY
Land Usage - DUPLEX
Subdivision Name - MCEWEN PLACE
Total Value - \$86,825
Land Value - \$86,825
Land Value - \$76,325
Land Value - \$76,325
Land Value - \$76,325
Land Value - 25,700
Year Built - 1930
Exterior Walls - STONE
Roof Type - ASPHALT
Heating - CENTRAL
Sale Date - 10/29/2004
Sale Price - \$345,000
Sellers Name 1 - REAVES DEIRORE & GILES
Legal Description - LOTS 45 46 47 48 49 50 MCEWEN PLACE
Lender Name - UNION PLANTERS BK
Interest Rate Type - FIX
Data Sound - A
Neighborhood Profile (2000 Census)
Average Age: 39
Median Household Income: \$39,000
Median Owner Occupied Home Value: \$90,700
Average Years of Education: 13

Possible Criminal Records:

[None Found]

🔎 Sexual Offenses:

[None Found]

Driver's License Information:

(None Found)

Motor Vehicles Registered To Subject:

Florida Accidents: [None Found]

Concealed Weapons Permit:

People at Work:

Professional License(s): [None Found]

FAA Certifications:

FAA Aircrafts: [None Found]

Watercraft: [None Found]

Voter Registration: [None Found]

Hunting/Fishing Permit: [None Found]

Bankruptcies:

Tax Liens and Judgments [None Found]

COC Filings:

Possible Properties Owned by Subject: [None Found]

Possible Associates: [Narie Found]

† Possible Relatives:

Neighbors;

```
Neighborhood:
415 BUSHNELL ST NASHVILLE TN 37206-1820 DAVIDSON COUNTY
                Residents:

JAMES HOWARD COOK JR DOB:05/03/1972 Age: 34
issued in Tennessee between 01/01/1982 and 12/31/1983
                JAY COOK Age:
JENNIFER COOK Age:
COOK JAY & JENNIFER (615) 227-7123
                Address(es):
                 ₹416 BUSHNELL ST, NASHVILLE TN 37206-1821 DAVIDSON COUNTY (Apr 2000 - Aug 2006)
                       416 BUSHNELL ST, NASHVILLE IN 37200-1527 BANDSON COUNTY (Apr. 2 Residents:
DELORES H MCVAY Age:
DELORIS H MCVAY DOB:10/1970 Age: 35
Issued in Illinois between 01/01/1981 and 12/31/1983
NEDRAD MCVAY DOB:10/23/1970 Age: 35
Issued in Illinois between 01/01/1981 and 12/31/1983
NESHEE MCVAY Age:
NETRAD MCVAY Age:
Issued in Illinois between 01/01/1981 and 12/31/1983
MCVAY NESHEE (615) 262-0076
                 ₹411 BUSHNELL ST, NASHVILLE TH 37206-1820 DAVIDSON COUNTY
                       ASHLEY BREANA BOSTIC DOB:08/13/1967 Age: 19
CA BOSTIC Age:

Issued in Ohio between 01/01/1974 and 12/31/1975
CHRISTINA A BOSTIC Age:

Issued in Tennessee between 01/01/1990 and 12/31/1991
CHRISTINA ANNETTE BOSTIC DOB:05/04/1960 Age: 46
Issued in Ohio between 01/01/1974 and 12/31/1975
DANNY BOSTIC Age:
BOSTIC DANNY (615) 228-3522
```

IN THE CIRCUIT COURT OF THE FIRST JUDICIAL CIRCUIT IN AND FOR WALTON COUNTY, FLORIDA

JOHN G. MORRIS, JOHN T. CRUNK and SUSAN LUCAS, formerly known as SUSAN LUCAS UPDYKE, Plaintiffs.

. .

CASE NO. 06-CA-000395

CLERK COURTS

2.5

BLUE GULF CORPORATION, a dissolved Florida corporation, Defendant.

SECOND AMENDED FINAL SUMMARY JUDGMENT

THIS MATTER being before the Court upon the Motion of Plaintiffs, JOHN G. MORRIS, JOHN T. CRUNK and SUSAN LUCAS, formerly known as SUSAN LUCAS UPDYKE to amend the Amended Summary Final Judgment entered by this Court, and the Court having considered the said Motion, the Court finds as follows:

- 1. There is no genuine issue as to any material fact or law as alleged in the Complaint.
- 2. The Plaintiffs, JOHN G. MORRIS, JOHN T. CRUNK and SUSAN LUCAS, formerly known as SUSAN LUCAS UPDYKE, are the fee simple owners, respectively, of the following described real properties situated in Blue Mountain Beach Subdivision No. 1, each of the properties being respectively, legally described as follows:

JOHN G. MORRIS:

All that tract or parcel of land lying and being in Walton County, Florida and being the eastern twenty-five (25) feet of Lot 8 and the entire Lot 9 in Block 12, according to plat of Blue-Mountain Beach Subdivision No. One (1), by Sherloch, Smith and Adams, Inc., that appears of record in the office of the Clerk of the Circuit Court of Walton County, Florida.

Page 1 of 4

35 ml

EX G

JOHN T. CRUNK

Lot 1, Block 11, Blue Mountain Beach Subdivision, No. 1, according to the plat thereof, as recorded in Plat Book 2, Page 41, of the public records of Walton County, Florida.

SUSAN LUCAS f/k/a SUSAN LUCAS UPDYKE:

Lot 9 in Block 11, Blue Mountain Beach Subdivision No. 1, according to Plat of said Subdivision by Sherlock, Smith & Adams, on file in the office of the Clerk of the Circuit Court, Walton County, Florida.

- 3. Defendant, BLUE GULF CORPORATION, a dissolved Florida corporation, was administratively dissolved by the State of Florida on July 2, 1973 and it was the corporate successor of the original developer/titleholder, WEST FLORIDA DEVELOPMENT COMPANY, a dissolved Florida for profit corporation.
- 4. There is no evidence of a successor to Defendant, BLUE GULF CORPORATION, and that all of the members of the last known Board of Directors of said Defendant are deceased.
- 5. The plat of Blue Mountain Beach Subdivision No. 1 was filed in the Public Records of Walton County, Florida on or about October 6, 1948, in Plat Book 2 at Page 41, and at the time thereof, WEST FLORIDA DEVELOPMENT COMPANY, was the fee simple owner of all properties contained within the boundaries of said subdivision and was the owner of all property lying directly south of the "bluff line" to the mean high water line of the waters of the Gulf of Mexico.
- 6. On or about November 7, 1955, WEST FLORIDA DEVELOPMENT COMPANY, caused to be recorded in the Public Records of Walton County, Florida, in Deed Book 141, at Page 182-183, a legal document containing covenants between the developer and the owners of lots in Blocks 10, 11, 12 and 13 of said subdivision which stated that if WEST FLORIDA DEVELOPMENT COMPANY or any "successor or transferee corporation holding title to the beach area should be dissolved or have its corporate existence terminated all of the beach area lying between Blocks 10, 11, 12 and 13 and the Gulf of Mexico will be conveyed to the individual owners Lots in the above numbered Blocks their heirs, successors or assigns without payment of further consideration", subject only to a restriction in any deeds transferring the subject property that the fee simple owners thereof "will not interfere with the normal use and enjoyment of said beach area by any owner of property in Blue Mountain Beach Subdivision No. 1".

- 7. The covenant referred to above, in Paragraph 6, is a permanent covenant which runs with the title to the lots lying in Blocks 10, 11, 12 and 13 in said subdivision.
- 8. The lots owned by each of the Plaintiffs named above are situated in the Blocks referred to in the above Paragraph and are therefore entitled to a conveyance of fee simple title to the real property lying south of their respective lots as shown on the plat of Blue Mountain Beach Subdivision No. 1, southward to the "mean high water line of the waters of the Gulf of Mexico" as was covenanted by West Florida Development Corporation.

Based upon the foregoing finding of fact and conclusions of law, it is,

ORDERED and ADJUDGED that:

- A. The Plaintiffs' Motion for Summary Judgment against BLUE GULF CORPORATION, a dissolved Florida corporation, is hereby GRANTED.
- B. The above named Plaintiffs are entitled to fee simple ownership of the property lying adjacent to and south of their respective lots to the mean high water line of the Gulf of Mexico which properties are respectively described as follows:

to JOHN G. MORRIS:

That property lying south of Lot 9 and the east twenty-five (25) feet of Lot 8, in Block 11, according to the Plat of Blue Mountain Beach Subdivision No. 1, adjacent to and between an extension of the east side lot line of said Lot 9 and a line drawn 25 feet west of and parallel to the east lot line of said Lot 8, in Block 12, southward to the mean high water line of the waters of the Gulf of Mexico, in Walton County, Florida.

to JOHN T. CRUNK:

That property lying south of Lot 1, in Block 11, according to the Plat of Blue Mountain Beach Subdivision No. 1, adjacent to and between an extension of the side lot lines of said Lot 1, in Block 11, southward to the mean high water line of the waters of the Gulf of Mexico, in Walton County, Florida.

to SUSAN LUCAS f/k/a SUSAN LUCAS UPDYKE:

That property lying south of Lot 9 in Block 11, according to the Plat of Blue Mountain Beach Subdivision No. 1. adjacent to and between an extension of the side lot lines of said Lot 9, in Block 11, southward to the mean high water line of the waters of the Gulf of Mexico, in Walton County, Florida.

C. Since there is no "successor or corporate transferee" of WEST FLORIDA DEVELOPMENT COMPANY or BLUE GULF CORPORATION in existence which holds title to the "beach area" south of Blocks 10, 11, 12, and 13 of the Blue Mountain Beach Subdivision No. 1, the Court appoints J. LORRIANE BYTELL as Trustee for WEST FLORIDA DEVELOPMENT COMPANY and BLUE GULF CORPORATION, dissolved Florida corporations, to make fee simple conveyances by Trustee's Deed to the Plaintiffs of the respective properties described above, subject to the restriction that the owner thereof "will not interfere with the normal use and enjoyment of said beach area by any owner of property in Blue Mountain Beach Subdivision No. 1".

DONE AND ORDERED in Chambers in DeFuniak Springs, Walton County, Florida, this

day of April, 2007.

W. HOWARD LAPORTE, Circuit Judge

CERTIFICATE OF MAILING

I HEREBY CERTIFY that a copy of the foregoing Second Amended Summary Final Judgment has been furnished to the following:

Wilham S. Howell, Jr., P.A. Attorney for Plaintiffs 1727 S. Co. Hwy. 393 Santa Rosa Beach, FL 32459 Lorriane Bytell, Esquire Attorney ad Litern 1250 Circle Drive DeFuniak Springs, FL 32435

MARTHA INGLE

Clerk of Court

G:\MORRIS LUCAS CRUNK\Second Amended FinalSummJdgmt wpd

IN THE CIRCUIT COURT OF THE FIRST JUDICIAL CIRCUIT IN AND FOR WALTON COUNTY, FLORIDA

ALTO L. JACKSON, JR. and TRICIA A. JACKSON,

Plaintiffs,

CASE NO.: 07CA000606

v.

BLUE GULF CORPORATION,
a dissolved Florida corporation,

Defendant.

FINAL SUMMARY JUDGMENT

CASE NO.: 07CA000606

WALTON COFFLORIDA

COFFLORIDA

FINAL SUMMARY JUDGMENT

THIS MATTER being before the Court upon the Motion for Summary Judgment of Plaintiffs, ALTO L. JACKSON, JR. and TRICIA A. JACKSON, and the Court having considered the pleadings, the Answer of the Attorney ad Litem, exhibits and affidavits filed herein, and argument of counsel, the Court finds as follows:

- 1. There is no genuine issue as to any material fact or law as alleged in the Complaint.
- 2. The Plaintiffs, ALTO L. JACKSON, JR. and TRICIA A. JACKSON, are the fee simple owners of the following described real property situated in Blue Mountain Beach Subdivision No. 1, said property being legally described as follows:

Lot 5, Block 10, Blue Mountain Beach Subdivision according to the plat on file in Plat Book 2, Page 41 of the Public Records of Walton County, Florida.

3. Defendant, BLUE GULF CORPORATION, a dissolved Florida corporation, was administratively dissolved by the State of Florida on July 2, 1973 and it was the corporate successor

of the original developer/titleholder, WEST FLORIDA DEVELOPMENT COMPANY, a dissolved Florida for profit corporation.

- 4. There is no evidence of a successor to Defendant, BLUE GULF CORPORATION, and that all of the members of the last known Board of Directors of said Defendant are deceased.
- 5. The plat of Blue Mountain Beach Subdivision No. 1 was filed in the Public Records of Walton County, Florida on or about October 6, 1948, in Plat Book 2 at Page 41, and at the time thereof, WEST FLORIDA DEVELOPMENT COMPANY, was the fee simple owner of all properties contained within the boundaries of said subdivision and was the owner of all property lying directly south of the "bluff line" to the mean high water line of the waters of the Gulf of Mexico.
- 6. On or about November 7, 1955, WEST FLORIDA DEVELOPMENT COMPANY, caused to be recorded in the Public Records of Walton County, Florida, in Deed Book 141, at Page 182-183, a legal document containing covenants between the developer and the owners of lots in Blocks 10, 11, 12 and 13 of said subdivision which stated that if WEST FLORIDA DEVELOPMENT COMPANY or any "successor or transferee corporation holding title to the beach area should be dissolved or have its corporate existence terminated all of the beach area lying between Blocks 10, 11, 12 and 13 and the Gulf of Mexico will be conveyed to the individual owners Lots in the above numbered Blocks their heirs, successors or assigns without payment of further consideration", subject only to a restriction in any deeds transferring the subject property that the fee simple owners thereof "will not interfere with the normal use and enjoyment of said beach area by any owner of property in Blue Mountain Beach Subdivision No. 1".
- 7. The covenant referred to above, in Paragraph 6, is a permanent covenant which runs with the title to the lots lying in Blocks 10, 11, 12 and 13 in said subdivision.

8. The lot owned by the Plaintiffs named above is situated in one of the Blocks referred to in the above Paragraph and the Plaintiffs are therefore entitled to a conveyance of fee simple title to the real property lying south of their lot as is shown on the plat of Blue Mountain Beach Subdivision No. 1, southward to the "mean high water line of the waters of the Gulf of Mexico" as was covenanted by West Florida Development Corporation.

Based upon the foregoing finding of fact and conclusions of law, it is,

ORDERED and ADJUDGED that:

- A. The Plaintiffs' Motion for Summary Judgment against BLUE GULF CORPORATION, a dissolved Florida corporation, is hereby GRANTED.
- B. The Plaintiffs, ALTO L. JACKSON, JR. and TRICIA A. JACKSON are entitled to fee simple ownership of the property lying adjacent to and south of their lot to the mean high water line of the Gulf of Mexico which property is described as follows:

All that property lying south of Lot 5, Block 10, according to the Plat of Blue Mountain Beach Subdivision No. 1, being adjacent to and between an extension of the side lot lines of said Lot 5, in Block 10, southward to the mean high water line of the waters of the Gulf of Mexico, lying in Section 12, Township 3 South, Range 20 West, Walton County, Florida.

C. Since there is no "successor or corporate transferee" of WEST FLORIDA DEVELOPMENT COMPANY or BLUE GULF CORPORATION in existence which holds title to the "beach area" south of Blocks 10, 11, 12, and 13 of the Blue Mountain Beach Subdivision No. 1, the Court appoints J. LORRIANE BYTELL as Trustee for WEST FLORIDA DEVELOPMENT COMPANY and its corporate successor, BLUE GULF CORPORATION, both dissolved Florida corporations, to make fee simple conveyances by Trustee's Deed to the Plaintiffs of the respective

properties described above, subject to the restriction that the owner thereof "will not interfere with the normal use and enjoyment of said beach area by any owner of property in Blue Mountain Beach Subdivision No. 1".

DONE AND ORDERED in Chambers in DeFuniak Springs, Walton County, Florida, this $20^{4^{h}}$ day of November, 2007.

DAVID W. GREEN, Acting Circuit Judge

Plaintiff's address: P.O. Box 11026 Montgomery, AL 36111

CERTIFICATE OF MAILING

I HEREBY CERTIFY that a copy of the foregoing Summary Final Judgment has been furnished to the following:

William S. Howell, Jr., P.A. Attorney for Plaintiffs 1727 S. Co. Hwy. 393 Santa Rosa Beach, FL 32459 Lorriane Bytell, Esq. Attorney ad Litem 1250 Circle Drive DeFuniak Springs, FL 32435

MARTHA INGLE

Clerk of Coun

Deputy Clerk